

PROGRAM

Mr. GRASSLEY. For the information of all Senators, following the party luncheons tomorrow, the Senate will begin consideration of two Ninth Circuit judges who are on the calendar. There are a number of Senators who have expressed a desire to speak with respect to those nominations.

Under a previous order, at 5 o'clock p.m. on Tuesday, the Senate will vote on the confirmation of Executive Calendar No. 423, the nomination of Julio Fuentes. Senators can, therefore, expect the next vote to occur at 5 o'clock tomorrow afternoon. Votes are expected each day and possibly evening this week as the Senate attempts to finish its business prior to the upcoming adjournment.

ORDER FOR ADJOURNMENT

Mr. GRASSLEY. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order, following the remarks of Senator DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUG COVERAGE—
A LIFELINE, NOT A POISON PILL

Mr. DURBIN. Madam President, I rise to express my disappointment that the Congress has been unable to move forward on a bipartisan basis on the prescription drug benefit under Medicare. There is a lot of talk with our surplus about potential tax breaks for businesses and families and individuals. In fact, it appears one of the proposals is going to be virtually unanimous, and that is the suggestion we take the cap off income for those who are under Social Security so people between the ages of 65 and 70 can work without penalty. That is encouraging. We should move on that and move quickly.

Another element of some debate but some agreement as well is the so-called marriage penalty. This is a feature of our Tax Code that was probably not there by design, but it reads that if two individuals making a certain amount of money should get married and their combined income puts them in a different and higher income tax category, they face a penalty.

Some have argued, with very little evidence, that many people do not get married because of this. I have my doubts about it. I do not know how many people visit their accountant be-

fore they buy the engagement ring, but I suppose it happens.

I do believe we can, on a bipartisan basis, come to an agreement that we will remove the so-called marriage penalty and do it in a way that is not unreasonable so we benefit those who would otherwise be disadvantaged.

There is an irony to this as well, of course, in that when many people get married, their combined income puts them in a lower tax bracket. This is, I guess, a marriage bonus, if you want to use the term. We certainly believe that should continue and that it should not be changed. I hope we can move in that direction.

Unfortunately, the House of Representatives recently passed a package on the marriage penalty that was really quite different than what I have described. First of all, as with so many other tax bills that have come from the other party over the years, the vast majority—two-thirds of the benefits of this so-called marriage penalty tax bill coming from the House—goes to higher-income couples; that is, couples making over \$75,000 a year. These higher-income couples get an average tax cut of close to \$1,000. Couples who earn less than \$50,000 receive an average of \$149. That is a very small percentage of the amount that goes to those in higher-income categories.

The price tag for the Republican marriage penalty bill coming out of the House—well, it's a whopping \$182 million, and almost half the benefits go to couples who do not face the marriage penalty in their taxes. In this process, this huge expense, mostly going to high-income families, crowds out a lot of very important priorities.

I hope we all can agree that if our goal is to eliminate the marriage penalty, it can be done for a fraction of what the House of Representatives did in their tax relief bill. There are other deserving tax benefit suggestions we should consider. At the top of these priorities is a prescription drug benefit for senior citizens.

On the Democratic side, our party believes we can address both the marriage penalty and the prescription drug benefit. The prescription drug coverage for our seniors is a lifeline. One of the leaders in the House of Representatives on the other side of the aisle said if we put the prescription drug benefit in his bill, he will consider it a "legislative poison pill."

For the seniors with whom I speak in Illinois and from across the Nation, prescription drug coverage is a lifeline, not a poison pill. House Majority Leader DICK ARMEY and other House Republicans who called it a poison pill illustrate the flaws in their priorities.

I hope we can come together. I hope my friends on the Republican side, particularly in the House of Representatives, will learn, as I have, about the skyrocketing costs of prescription drugs.

Prescription drug prices have been rising at an almost double-digit rate

for the last 20 years. A Families USA study shows these prices rising at four times the rate of inflation. Medicare beneficiaries' annual out-of-pocket drug costs tell the story: 38 percent of Medicare beneficiaries are spending more than \$1,000 a year on their prescription drugs. Many of them are on tight, fixed incomes. Eighteen percent of Medicare beneficiaries spend between \$500 and \$1,000, and 31 percent are paying out up to \$500.

For some people stepping back and saying \$1,000 a year should not mean much, I can tell them that for a person on a fixed income of \$600 or \$800 a month under Social Security, \$100 a month can mean a real sacrifice, and many senior citizens have to face those sacrifices on a regular basis.

When we held a hearing in Chicago on the prescription drug situation, there were seniors who told us that when they visited large supermarkets in the Chicagoland area that had prescription drug counters, first they would have to find out what their drugs would cost and then calculate what was left over for the groceries they needed to buy to fill their refrigerators and feed themselves in the days ahead.

That is a tough sacrifice and choice for anyone to make, certainly for one to decide between health and the basic necessities of life. One study showed fully 1 in 8 seniors faces this choice between food and medicine. That is unacceptable.

Addressing this problem is certainly not a poison pill, in Mr. ARMEY's words. Time and again, in each of my town meetings around the State, I heard how much money seniors have to spend to remain healthy. It was not unusual in any senior citizen setting to find someone spending \$200, \$300, \$400 a month or even more.

In Illinois, my constituents tell me they are having a tough time paying for their own drugs. Many are worried about whether their parents can afford the drugs they need to stay healthy.

I had a town meeting in Chicago recently. Julie Garcia told me of her concerns about her mother's health care needs. This was not an uncommon story. Many children are concerned about a parent who has been ill. They want to make certain their parents have access to prescription drugs to stay healthy.

Julie Garcia's mother was diagnosed with cancer 11 years ago and must still see her oncologist for routine visits every 2 or 3 months. Because of her cancer, Julie Garcia's mother was unable to buy individual insurance. When she was going through her cancer treatment, she was on what is known as a spend-down program through Medicaid. This paid for a large portion of her hospital bill, but she still incurred thousands of dollars in bills for which she was held liable. A great many of those thousands of dollars were for the cost of prescription drugs she needed.

So many seniors who are concerned about their health are often faced with